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FM AMEMBASSY PHNOM PENH  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8500  
INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY

UNCLAS SECTION 01 OF 03 PHNOM PENH 000751

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STATE FOR EAP/MLS

E.O. 12958: N/A  
TAGS: [PGOV](#) [KDEM](#) [CB](#)  
SUBJECT: PRINCE RANARIDDH: WILL HE GET AMNESTY AND RETURN  
TO CAMBODIA?

¶1. (SBU) Summary. Following a March 13 court verdict sentencing Prince Norodom Ranariddh to 18 months in prison, the Prince's followers petitioned the King for a royal pardon -- even though PM Hun Sen had rejected RGC support for any pardon in advance of Ranariddh's trial. As backroom negotiations between Ranariddh's party (NRP), FUNCINPEC, and the CPP continued, NRP leaders and NGOs blamed Ranariddh's absence for the NRP's poor third-place showing in the April 1 commune elections. Meanwhile, FUNCINPEC continues to lose supporters and one of its MPs recently defected to the CPP. On May 12, a Ranariddh delegation delivered a petition signed by over 100,000 people to the Royal Palace, and asked King Sihamoni to pardon the Prince. The King forwarded the petition to the Prime Minister for an opinion; to date, none has been forthcoming. End Summary.

Can the Royals Sink Any Lower?  
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¶2. (U) Since early 2007, Prince Norodom Ranariddh has remained outside of Cambodia for fear of imprisonment following the March 13 Phnom Penh Municipal Court ruling that found him guilty for a breach of confidence in the sale of the historical FUNCINPEC party headquarters in Phnom Penh to a developer in exchange for a new property and construction of a new building. The lawsuit that generated the controversy was brought by FUNCINPEC Secretary General Nhek Bun Chhay following Ranariddh's refusal to accept the loss of the party presidency in October 2006 and subsequent launch of the Norodom Ranariddh Party (NRP), which labeled itself as the "real royalist" party. The sentence of 18 months in prison was viewed by many as deliberately timed to prevent the NRP leader from competing in the July 2008 national elections.

¶3. (U) Despite its late entry into the April 1 commune elections, the NRP was able to quickly register candidates in the majority of Cambodia's 1,600-plus communes, surprising most observers. The NRP did not win any communes outright, but did manage to win more seats for its councilors than did FUNCINPEC, giving NRP loyalists a minor moral victory by coming in (a very distant) third in the commune elections. But the NRP's election coffers remain largely empty, royalist voters in some cases are still confused about whether or not the Prince is still with FUNCINPEC, and the lack of the Prince's presence in the country makes the party's job tough in the lead up to the July 2008 elections. Former FUNCINPEC MP (and Amcit) You Hockry recently became the NRP's Secretary General, having publicly denounced the FUNCINPEC party congress last October that removed Ranariddh as the FUNCINPEC leader. Following You Hockry's statements, FUNCINPEC removed him from the party and stripped him of his MP status.

¶4. (SBU) Meanwhile, the CPP continues to pressure FUNCINPEC officials to defect to the CPP, with FUNCINPEC MP Ly Thuch

representing the latest defector to the ruling party. Other FUNCINPEC MPs have told us that they have had similar offers to leave the party, and one MP predicted there would be additional defections before the 2008 elections. This same MP noted he believed that the CPP is going to destroy FUNCINPEC before the PM will consider allowing Ranariddh to return; that way, the Prince will never be able to rebuild the party's structure before the elections should the NRP and FUNCINPEC merge again. FUNCINPEC has held several meetings since the April 1 elections, and morale within the party is low. The MP added that he does not bother attending meetings anymore because of the poor leadership and lack of direction; Keo Puth Rasmei has tried to resign twice but Nhek Bun Chhay and the CPP reportedly will not permit it.

15. (U) Prince Sisowath Thomico, who heads the very small and noninfluential Sangkum Cheat Niyum (FSCN) party, merged his party with the NRP on May 27 following a FSCN party congress. By joining the NRP, Thomico has become the Vice President of the NRP, and has said that he will work towards a union of all royalists, followed by an alliance of all non-ruling parties to face off against the CPP in July 2008. (Comment: While there have continued to be discussions between all the so-called democrats about how best to approach the 2008 elections, only Thomico's party has taken the decision to merge with another party. The others (NRP, SRP, Kem Sokha) have spoken more in terms of an alliance of like-minded parties as opposed to a union into a single party. End Comment.)

16. (U) FUNCINPEC, however, initially rejected any call to reunite the royalist parties under the FUNCINPEC banner. While in Malaysia in late April, Ranariddh said that he would accept a re-unification of FUNCINPEC and the NRP if FUNCINPEC

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were willing to concede its error in dismissing him from the presidency and accept Ranariddh back as the party leader. Thomico echoed Ranariddh's position, and at the time announced that his small party would begin the process by joining with the NRP. FUNCINPEC initially agreed that Ranariddh could return, but only as historical president -- a ceremonial title that FUNCINPEC tried to bestow on the Prince after he was removed as party leader. Ranariddh refused the honorary position last year and has continued to maintain he will not accept it. However, FUNCINPEC later released a statement on May 28 claiming that the party was not interested in reconciling with the Prince and would not help Ranariddh win a pardon. (Comment: According to NRP sources, the CPP put a halt to FUNCINPEC negotiations with Ranariddh as the ruling party is more concerned with the SRP and the CPP does not trust Ranariddh to keep his word and return to FUNCINPEC to work on the party's behalf. In fact, one NRP official noted that the CPP's mistrust of Ranariddh was well-founded; the NRP leader reportedly did plan to reconcile with FUNCINPEC to return to Cambodia, but then planned to remove Nhek Bun Chhay and others who been disloyal and lead the party down an independent path -- possibly aligning with the SRP against the CPP. End Comment.)

Amnesty for Ranariddh? 1998 All Over Again?

17. (SBU) Despite the public stance of FUNCINPEC claiming that reconciliation with the NRP is no longer of interest to the party and the CPP's continued rejection of calls for a pardon for the Prince, negotiations behind the scenes for Ranariddh's return have been ongoing for the last two months, claim members of the NRP and FUNCINPEC. Even SRP MP Keo Remy has been acting as a go-between among the various parties to help Ranariddh.

18. (U) On May 12, a delegation of NRP representatives met with King Norodom Sihamoni and presented a petition of over 100,000 thumbprints to the monarch in support of a royal pardon for Prince Ranariddh. The act of presenting the

petition to the King is viewed as a way of putting the issue of a royal pardon firmly on the table for negotiation and public discussion. NRP supporters see a pardon as the only way for the Prince to return to Cambodia in time to compete for the July 2008 elections. The King reportedly sent the petition to Prime Minister Hun Sen for review, but no official response has been forthcoming. In public comments, the PM has indicated that he is unlikely to agree to a pardon for the NRP leader and has asked the NRP to continue to pursue their case with the Appeals Court. The PM told a university graduation class on May 30 that a petition of thumbprints should not override the decision of the judiciary.

¶9. (U) The NRP has moved ahead with the appeals court process, according to Ok Socheat, a senior advisor to Prince Ranariddh. The PM reportedly has tied a favorable outcome in the judicial process to two conditions: first, the Prince must remove NRP spokesperson Muth Chantha and second, the Prince must resolve his dispute with Princess Marie. Muth Chantha confirmed to the Embassy that Hun Sen had asked that Chantha be removed, claiming that he told Ranariddh he would be happy to step down if it helped the party secure Ranariddh's return. There are also discussions about Ranariddh ceding a valuable property near the Royal Palace to FUNCINPEC as a precondition for his return.

¶10. (SBU) Citing the example of 1998, NRP spokesperson Muth Chantha told us that the CPP wants Ranariddh to return to Cambodia, but only in such a way that it does not disadvantage the CPP in the upcoming national election. The NRP official is confident that Ranariddh will return, knowing that the international community and NGOs could cite the Prince's absence as a reason to discredit the election. He said that the PM also recognizes this, and Hun Sen wants Ranariddh to return in time to campaign, but not so soon as to do any damage to anyone except the other opposition parties. If Ranariddh were to stay out, many royalists might flock to the SRP, which took a respectable and unchallenged second place on April 1. So the CPP will allow Ranariddh back -- it's only a question of timing, say NRP loyalists. Chantha noted that the CPP successfully kept Ranariddh out of Cambodia in the lead up to the 1998 election, only to allow the Prince to return for the legitimacy of the electoral process, but too late to mount a strong effort. Chantha speculated that the Appeals Court is unlikely to hear the case anytime soon, and that the CPP will bide its time. He worries that if the Prince does not return before early 2008, there will be inadequate time to organize an effective campaign. But Ranariddh's return 5-6 months ahead of the

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July elections could help split the non-CPP vote, allowed Chantha.

Comment  
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¶11. (SBU) Although there continues to be discussion about who must sign off on a royal pardon, from a constitutional standpoint, the King does not need to consult with anyone. (National Assembly President Heng Samrin recently decided that in Ranariddh's case, the National Assembly should come to a two-thirds vote -- a clear misread of the constitution.)

In practice, the King has not initiated a pardon in any high-profile political case without consultation with Hun Sen, and he's unlikely to do so this time until the PM gives the green light. It's still early days in the countdown to the national election, now scheduled for Sunday, July 27, 2008 with more twists and turns likely for Ranariddh. The sheer number of meetings and amount of negotiation that have taken place already on his case is notable -- we contrast those efforts against the paucity of grassroots party building activities within FUNCINPEC and the NRP during this period. For the CPP, we agree that it probably makes the most sense to keep Ranariddh out of the country (just like

1998) for as long as possible, and then allow him to return for the elections and play the role of spoiler. We will continue to advocate to the RGC that Ranariddh be permitted to return and compete in the elections. End Comment.  
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